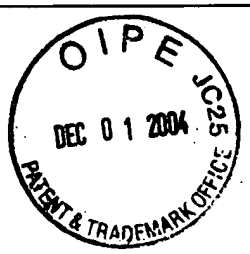
AF/1631 IFW

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December 1, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Art Unit: 1631
Examiner: J. Martinell
Conf. No.: 9080

Re: U.S. Patent Application No. 09/920,953 filed August 2, 2001
Inventors: Molian DENG *et al.*
Title: Nucleic Acid Sequences from *Chlorella Sarokiniana* and Uses Thereof
Atty. Dkt: 16517.286

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of $340.00 for filing a Notice of Appeal to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.286. A duplicate copy of this letter is enclosed.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.286.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

Enclosures

OIPE JC25 DEC 01 2004 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	Confirmation No.: 9080
Molian DENG *et al.*	Art Unit: 1631
Appl. No.: 09/920,953	Examiner: James Martinell
Filed: August 2, 2001	Atty. Docket: 16517.286

For: **Nucleic Acid Sequences from *Chlorella Sarokiniana* and Uses Thereof**

Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed September 1, 2004, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

12/02/2004 HDEMESS1 00000006 502387 09920953
01 FC:1401 340.00 DA

Respectfully submitted,

Date: December 1, 2004

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